

Docket No.: R2184.0116/P116 (PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kei Hagiwara, et al.

Application No.: 09/923,540

Group Art Unit: 2652

Confirmation No. 2104

Filed: August 8, 2001

Examiner: Not Yet Assigned

For: OPTICAL DISK DEVICE RECORDING

DATA ON A RECORDABLE OR REWRITABLE OPTICAL DISK BY SETTING A RECORDING VELOCITY AND A RECORDING POWER FOR EACH OF ZONES ON AN OPTICAL DISK

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

# **Box Missing Parts**

Commissioner for Patents Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed September 14, 2001. Applicant respectfully submits a Combined Declaration and Power of Attorney, Assignment, Information Disclosure Statement and an Information Disclosure Citation.

Our check in the amount of \$170.00 covering the fees set forth in 37 CFR 1.16(e) and 1.21(h) are enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. R2184.0116/P116. A duplicate copy of this paper is enclosed.

Dated: November 8, 2001

Respectfully submitted)

Mark J. Thronson

Registration No.: 33,082

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OSHINSKY LLP

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Attorneys for Applicant

Under the Paperwork Reduction Act of 1995 persons are required PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
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# FEE TRANSMITTA for FY 2001

Patent fees are subject to annual revision.

Complete if Known 09/923,540-2104 **Application Number** August 8, 2001 Filing Date First Named Inventor Kei Hagiwara Not Yet Assigned Examiner Name 2652 Group Art Unit

Date

November 8, 2001

Deposit Account	TOTAL AMOUNT OF PAYMENT (\$) 170.00		Attorney Docket No.			R2184.0116/P116
Indicated fees and credit any overpayments to:   Deposit   O4-1073	METHOD OF PAYMENT	FEE C			FEE C	ALCULATION (continued)
Deposit						
Deposit		Large	e Entity	Sma	II Entity	
Applicant claims small   Applicant claims small   See Required Under   Applicant claims small   Applicant claims   App	Account 04-1073					
127   50   227   25   Surcharpe - late provisional filing fee or cover sheet.   139   130   139   130   13		105	130	205	65	Surcharge – late filing fee or oath 130.00
See   Fee	Name Ushinsky, LLP	127	50	227	25	
37 CFR 1.16 and 1.17   37 CFR 1.27   147   2,520   147   2,520   Filing a request for exparte reexamination		139	130	139	130	Non-English specification
Check		147	2,520	147	2,520	For filing a request for ex parte reexamination
X   Check	2. X Payment Enclosed	112	920*	112	920°	
1. BASIC FILING FEE   16   390   216   195   Extension for reply within second month   17   890   217   445   Extension for reply within second month   18   195   Extension for reply within fourth month   195	X Check Credit Card Money Order Other	113	1,840*	113	1,840*	
117   890   217   445   Extension for reply within third month   118   1,390   218   695   Extension for reply within fourth month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890   228   945   Extension for reply within find month   128   1,890	FEE CALCULATION	115	110	215	55	Extension for reply within first month
118   1,390   218   695   Extension for reply within fourth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   228   945   Extension for reply within fifth month   128   1,890   229   155   Notice of Appeal   129   135   Request for oral hearing   129   135   780   130   130   130   130   120   130   130   120   130	1. BASIC FILING FEE	116	390	216	195	Extension for reply within second month
Code   (\$)   Code   (\$)   Fee Paid   110   170   201   355   Utility filing fee   117   490   207   245   Plant filing fee   118   1,890   220   155   Notice of Appeal   120   310   220   155   Notice of Appeal   121   270   221   135   Request for oral hearing   122   130   220   Petition to revive – unavoidable   141   1,240   241   620   Petition to revive – unintentional   142   1,240   242   620   Utility issue fee (or reissue)   143   440   243   220   Design issue fee   144   600   244   300   Plant issue fee   146   150	Large Entity Small Entity	117	890	217	445	Extension for reply within third month
106 320 206 160 Design filing fee		118	1,390	218	695	Extension for reply within fourth month
107 490 207 245 Plant filing fee	101 710 201 355 Utility filing fee	128	1,890	228	945	Extension for reply within fifth month
108 710 208 355 Reissue fling fee	106 320 206 160 Design filing fee	119	310	219	155	Notice of Appeal
SUBTOTAL (1) (\$) 0.00  SUBTOTAL (2) (\$) 0.00  SUBMITTED BY  SUBMITTED BY  SUBMITTED BY  SUBMITTED BY  SUBMITTED BY  SUBMITTED BY  SUBTOTAL (2) (\$) 0.00  SUBTOTAL (2) (\$) 0.00  SUBTOTAL (2) (\$) 0.00  SUBTOTAL (2) (\$) 0.00  SUBMITTED BY  SUBTOTAL (2) (\$) 0.00  SUBMITTED BY  SUBMITTED BY  SUBTOTAL (2) (\$) 0.00  To complete (if applicable)  Talentone (2002) 775-4742	107 490 207 245 Plant filing fee	120	310	220	155	Filing a brief in support of an appeal
SUBTOTAL (1) (\$) 0.00	108 710 208 355 Reissue filing fee	121	270	221	135	Request for oral hearing
SUBTOTAL (1) (\$) 0.00   141 1,240 241 620 Petition to revive - unintentional   142 1,240 242 620 Utility issue fee (or reissue)   143 440 243 220 Design issue fee   144 600 244 300 Plant issue fee   144 600 246	114 150 214 75 Provisional filing fee	138	1,510	138	1,510	Petition to institute a public use proceeding
LEXTRA CLAIM FEES Extra Fee from Claims below Fee Paid otal Claims	SUBTOTAL (1) (\$) 0.00	140	110	240	55	Petition to revive – unavoidable
total Claims		141	1,240	241	620	Petition to revive - unintentional
Adependent Islaims  Autitiple Dependent Islai		142	1,240	242	620	Utility issue fee (or reissue)
tultiple Dependent    122   130   122   130   Petitions to the Commissioner     123   50   123   50   Processing fee under 37 CFR 1.17(q)     126   180   126   180   Submission of Information Disclosure Stmt     126   180   126   180   Submission of Information Disclosure Stmt     126   180   126   180   Submission of Information Disclosure Stmt     126   180   126   180   Submission of Information Disclosure Stmt     127   128   128   128   128   128   128     128   129   129   129   128   128   128     129   120   120   120   120   120     120   120   120   120   120   120     120   120   120   12	Total Claims -** = X =	143	440	243	220	Design issue fee
tultiple Dependent    122   130   122   130   Petitions to the Commissioner     123   50   123   50   Processing fee under 37 CFR 1.17(q)     126   180   126   180   Submission of Information Disclosure Stmt     128   139   128   130   122   130   Petitions to the Commissioner     123   50   123   50   Processing fee under 37 CFR 1.17(q)     126   180   126   180   Submission of Information Disclosure Stmt     128   129   120	Independent Claims -** = X = X	144	600	244	300	Plant issue fee
Fee	Multiple Dependent =	122	130	122	130	Petitions to the Commissioner
Fee Fee Fee Fee Fee (\$) Code (\$) Fee Description  103 18 203 9 Claims in excess of 20 102 80 202 40 Independent claims in excess of 3 104 270 204 135 Multiple dependent claims over original patent  109 80 209 40 Recording each patent assignment per property (times number of properties)  146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a))  149 710 249 355 For each additional invention to be examined (37 CFR 1.129(b))  179 710 279 355 Request for Continued Examination (RCE)  189 900 169 900 Request for expedited examination of a design application  18 210 9 Registration No. 23 082  189 Per Pei Pee Description  581 40 581 40 Fee Paid Recording each patent assignment per property (times number of properties)  40.00  40.00  40.00  146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a))  For each additional invention to be examined (37 CFR 1.129(b))  179 710 279 355 Request for Continued Examination of a design application  Other fee (specify)  *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 170.00  **Complete (if applicable)  *Registration No. 23 082		123	50	123	50	Processing fee under 37 CFR 1.17(q)
Sode (\$) Code (\$) Fee Description  103 18 203 9 Claims in excess of 20 104 270 204 135 Multiple dependent claims in excess of 3 105 209 40 Reguest for Continued Examination of a design application 107 18 210 9 Registration No. 123 082 Registration No. 123 082 Registration No. 123 082 Registration No. 124 000 Telephone (2002) 775-4742	Large Entity Small Entity	126	180	126	180	Submission of Information Disclosure Stmt
102 80 202 40 Independent claims in excess of 3 104 270 204 135 Multiple dependent claim, if not paid 109 80 209 40 "Reissue independent claims over original patent over original patent 110 18 210 9 "Reissue claims in excess of 20 and over original patent  SUBTOTAL (2) (\$\$) 0.00  **or number previously paid, if greater; For Reissues, see above  146 710 246 355 (37 ČFR 1.129(a)) 149 710 249 355 For each additional invention to be examined (37CFR 1.129(b)) 179 710 279 355 Request for Continued Examination (RCE) 169 900 169 900 Request for expedited examination of a design application 169 900 169 900 Other fee (specify)  *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$\$) 170.00  **Tor number previously paid, if greater; For Reissues, see above  **Gull (199 00 169 900 Other fee (specify) Telephone (200) 775-4742	Code (\$) Code (\$)	581	40	581	40	property (times number of properties) 40.00
104 270 204 135 Multiple dependent claim, if not paid 109 80 209 40 "Reissue independent claims over original patent over original patent "Reissue claims in excess of 20 and over original patent "Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 170.00  ***or number previously paid, if greater; For Reissues, see above SUBMITTED BY  Complete (if applicable)  Registration No. 23 082		146	710	246	355	(37 CFR 1.129(a))
over original patent  109 80 209 40 over original patent  110 18 210 9 ** Reissue claims in excess of 20 and over original patent  SUBTOTAL (2) (\$) 0.00  **or number previously paid, if greater; For Reissues, see above  SUBMITTED BY  Complete (if applicable)  Registration No. 23 082  Telephone (200) 775-4742	104 270 204 135 Multiple dependent claim, if not paid	149	710	249	355	
110 18 210 9 "Reissue claims in excess of 20 and over original patent"  SUBTOTAL (2) (\$) 0.00    **or number previously paid, if greater; For Reissues, see above  SUBMITTED BY						
SUBTOTAL (2) (\$) 0.00  **or number previously paid, if greater, For Reissues, see above  **Output to the previously paid of the previousl		,-			900	
**or number previously paid, if greater; For Reissues, see above  Complete (if applicable)  Registration No. 33 082  Telephone (202) 775-4742	<u> </u>					
Name (printitives) Mark   Thronson   Registration No. 33 082   Telephone (202) 775-4742		*Redu	iced by Ba	sic Fili	ng Fee Pa	aid SUBTOTAL (3) (\$) 170.00
Name (print/type) Mark   Thronson   Registration No. 33 082   Telephone (202) 775-4742	SUBMITTED BY					Complete (if applicable)
	Name (print/type) Mark J. Thronson			33	082	<del></del>

Signature



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I
www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

Date Mailed: 09/14/2001

09/923,540

08/08/2001

Kei Hagiwara

R2184.0116/P116

**CONFIRMATION NO. 2104** 

FORMALITIES LETTER

\*OC000000006556643\*

Mark J. Thronson DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L Street NW Washington, DC 20037-1526

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.

  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

AM

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/09/2001 MBERHE

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